



# MEMO ENDORSED

U.S. Department of Justice  
United States Attorney  
Southern District of New York

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 10/30/2020

86 Chambers Street  
New York, New York 10007

October 27, 2020

**By ECF**

The Honorable Katherine H. Parker  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Debra Early-King v. United States*, 18 Civ. 142 (KHP)

Dear Judge Parker,

This Office represents the United States, the defendant in the above-referenced Federal Tort Claims Act case. We write respectfully on behalf of the parties to request an adjournment of the commencement of the bench trial in this matter, from November 16, 2020, to January 19, 2021. The adjournment is requested because the parties have learned that a key third-party witness, Dr. Abtin Tabaee, the specialist who treated the plaintiff shortly after the visits with the federally-funded clinic at issue in this case, will be unavailable during most of the month of November. Although Dr. Tabaee had been previously made aware of the trial date, his schedule has since changed in light of a heavy workload caused by the COVID-19 pandemic.

The parties have been in communication with Your Honor's Courtroom Deputy and the various witnesses to find the earliest week during which the trial could take place, should the Court grant the adjournment. In the event the parties' request is granted, we would respectfully request an adjournment of the final pretrial conference currently set for November 9, 2020, and an appropriate extension of the deadline for pretrial submissions, currently November 2, 2020. This is the second request for an adjournment of the trial, which was previously adjourned due to the ongoing COVID-19 pandemic. *See* Dkt. No. 40.

Thank you for your consideration of this matter.

**SO ORDERED:**

*Katherine H. Parker*  
HON. KATHARINE H. PARKER  
UNITED STATES MAGISTRATE JUDGE

10/30/2020

The current trial date of November 16, 2020, and all pre-trial filing deadlines, are hereby adjourned. The November 9, 2020 final pre-trial conference will be held as scheduled, but will not be the final conference prior to trial. At the November 9, 2020 conference, the Court will discuss a new trial date and new pre-trial deadlines with the parties.

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney

By:

/s/ Stephen Cha-Kim  
STEPHEN CHA-KIM  
JENNIFER JUDE  
Assistant United States Attorneys  
(212) 637-2768, -2663  
[stephen.cha-kim@usdoj.gov](mailto:stephen.cha-kim@usdoj.gov)  
[jennifer.jude@usdoj.gov](mailto:jennifer.jude@usdoj.gov)